

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERIC MURDOCK,	:	No. 1:20-cv-02138
Plaintiff,	:	
	:	
v.	:	(Judge Rambo)
	:	
GENE BROWN, <u>et al.</u>,	:	
Defendants.	:	

ORDER

AND NOW, on this 15th day of July, 2024, upon consideration of the evidence presented on the issue of administrative exhaustion presented during the evidentiary hearing on August 3, 2023, as well as the parties’ proposed findings of fact and conclusions of law (Docs. 89, 90), and for the reasons set forth in the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Judgment is **ENTERED** in favor of Defendants C.O. Rosse, C.O. Terra, and Lt. Rininger (improperly identified in the complaint as “Lt. Rinnger”) and against Plaintiff on Plaintiff’s remaining claims under 42 U.S.C. § 1983 for violations of the Eighth Amendment to the United States Constitution;
2. Plaintiff’s remaining claim for injunctive or declaratory relief for a violation of Pennsylvania’s Constitution is **DISMISSED WITHOUT PREJUDICE**; and
3. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge